

# **EXHIBIT D**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

NANCY KINDER, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

NORTHWESTERN BANK,

Defendant.

Case No. 1:10-cv-405  
Honorable Paul L. Maloney

**AFFIDAVIT OF BRION B. DOYLE**

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Brion B. Doyle states under oath for his Affidavit as follows and would testify to the same if called as a witness:

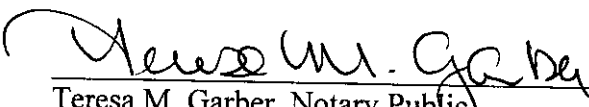
1. I am an attorney with Varnum, and I am counsel of record for Northwestern Bank in this case.
2. I am also counsel of record for defendants in other of Ms. Kinder's ATM lawsuits.
3. In one Ms. Kinder's other ATM lawsuits, Ms. Kinder's local counsel, Brian Nettleingham, informed me that Michael Harrison controlled the settlement of the claim in that

case. Mr. Nettleingham further informed me that Michael Harrison had ultimate settlement authority in other of Ms. Kinder's cases.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Brian B. Doyle

Subscribed and sworn to before me this 12th day of November, 2010.

  
\_\_\_\_\_  
Teresa M. Garber, Notary Public  
County of Kent, State of Michigan  
My commission expires: April 20, 2016

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